

IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO

In re:)	CASE NO: 10-54833
)	Chapter 13
Andrea Lynn Lewis)	
)	
Debtor(s).)	Judge Marilyn Shea-Stonum
)	
		<u>DEBTOR'S RESPONSE TO</u>
		<u>OBJECTION TO CONFIRMATION</u>
		<u>OF PLAN</u>

Now comes the above-captioned debtor, by and through the undersigned counsel, who responds as follows to an objection to confirmation of the debtor's plan filed by BFG Federal Credit Union, allegedly a creditor herein:

1. BFG Federal Credit Union claims to hold a security interest in a 2004 Chevrolet Venture automobile owned by the debtor.
2. The debtor, in her chapter 13 plan, proposes to bifurcate this creditor's claim so that this creditor will be paid \$3,000.00, representing the value of the vehicle, plus interest at the rate of 5% per annum, as this creditor's allowed secured claim by way of a fixed monthly payment to be paid by the chapter 13 trustee in the amount of \$89.91 per month. The balance of this creditor's claim is to be paid inside the plan by the chapter 13 trustee as a general unsecured claim.
3. BFG Federal Credit Union has filed herein an objection to confirmation of the plan alleging, without any basis in reality for its assertion, that the vehicle has a value of \$7,975.00.
4. The debtor has obtained an appraisal of the vehicle, a copy of which is attached as Exhibit "A." This appraisal cites numerous condition problems with the vehicle including extensive damage to almost every part of its body. This appraisal states that the vehicle has a value of \$2,000.00.
5. The debtor states, therefore, that based on her appraisal, her proposed treatment of this creditor's claim is over-generous.
6. The debtor therefore prays that this creditor's objection not be well taken and

overruled as frivolous.

WHEREFORE, the debtor prays for the entry of an order denying and overruling the above-referenced objection to confirmation of BFG Credit Union at this party's expense and granting to the debtor such other and further relief as may be equitable and just.

Respectfully Submitted,

/s/ Robert M. Whittington, Jr. 0007851
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing response was sent by electronic ECF notification this 15th day of December, 2010 to Scott D. Fink, attorney for BFG Federal Credit Union, Keith Rucinski, chapter 13 trustee and to the U.S. Trustee.

/s/ Robert M. Whittington, Jr.

NAME - ANDREA LEWIS		
ADDRESS - 438 WEEKLAND RD		
PHONE # - MOGADORE 44260		
VEHICLE - 2004 CHEV VENTURE		
VEN. # 1GNDV03E44D118040		
MILES 108268		
MOTOR 4-6 OR 8 CYL	4 CYL	
TRANS. AUTO OR MAN.	AUTO	
DRIVE - 2 WHEEL 4 WHEEL	2 WHEEL	
A.C.	YES	
ELEC WINDOWS	YES	
POWER SEATS	NO	
REAR DEFOSTER	YES	
EXHAUST SYSTEM	O.K.	
SUN ROOF	NO.	
APPRAISAL	REMARKS - CONDITION OF VEHICLE	
2000.00	① TRANSMISSION NEEDS REPLACED. ② TIE ROD END RIGHT NEEDS REPLACED. ③ VEHICLE HAS EXISTENCE DAMAGE TO RIGHT SIDE - HOOD, FRONT BUMPER, RIGHT HEAD LAMP, RIGHT FENDER AND RIGHT FRONT DOOR. ④ NEEDS TIRES.	
C. Lake	DATE 11-10-10	